

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES J. PIVEN and BROWER PIVEN, :
A Professional Corporation, :

Plaintiffs, :

v. :

HARWOOD FEFER LLP and ROBERT I. :
HARWOOD, :

Defendants. :
-----X

C.A. No. 14 CV 6601 (LAK)

STIPULATION AND ORDER:

**1) VACATING PRIOR DISMISSAL;
2) FOR DISMISSAL; AND 3) FOR
REDACTION OF CONFIDENTIAL
PERSONAL INFORMATION**

WHEREAS, the above-captioned action has been settled pursuant to the terms of a written Stipulation of Settlement between the parties dated November 5, 2015; and

WHEREAS, the Second Amended Complaint herein (Document No. 26) contains confidential personal information of a party and non-parties, consisting of specific home street/apartment addresses; and

WHEREAS, the Court has previously ruled in this case that "Plaintiffs have offered no sufficient justification for the presence in the [Second Amended Complaint] of the specific home addresses of the professionals working at the defendant law firm," (Document No 34, ¶ 3);

NOW, THEREFORE,

IT IS HEREBY STIPULATED AND AGREED by and between the parties to this action, through their undersigned counsel, as follows:

1. The foregoing WHEREAS clauses are hereby incorporated herein.
2. The Court's Order dismissing this case with prejudice, signed and entered on September 18, 2015 (Document No. 45), is hereby vacated.

3. The Second Amended Complaint (Document No. 26) shall be sealed and Plaintiffs shall, within ten (10) business days of the date this Stipulation is So Ordered, refile a redacted version of the Second Amended Complaint with the specific home street/apartment addresses of Harwood Feffer LLP's partners and personnel redacted therefrom.

4. Pursuant to Fed. R. Civ. P. 41(a)(1), the above-captioned action is hereby dismissed with prejudice as against defendant Robert I. Harwood.

5. Pursuant to Fed. R. Civ. P. 41(a)(1), the above-captioned action is hereby dismissed without prejudice as against defendant Harwood Feffer LLP, in accordance with and subject to the terms of the Stipulation of Settlement between the parties, including but not limited to the Plaintiffs' right to reopen this action in the event that the settlement cannot be consummated within 12 months of the date of the Stipulation of Settlement. Plaintiffs shall have the right to reopen this action by serving and filing a motion to that effect on or before January 15, 2017.

(continued on next page)

6. An order of the Court may be entered upon this Stipulation without further notice to any party.

Dated: November 5, 2015

BROWER PIVEN, A Professional Corporation
Attorneys for Plaintiffs

By: _____

Brian Kerr
475 Park Avenue South, 33rd Floor
New York, NY 10016
Telephone: (212) 501-9000

MORITT HOCK & HAMROFF LLP
Attorneys for Defendants

By: _____

Robert M. Tils
400 Garden City Plaza
Garden City, NY 11530
Telephone: (516) 873-2000

SO ORDERED:

_____, 2015

U.S.D.J.